

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

1201 NORTH MARKET STREET
P.O. Box 1347
WILMINGTON, DELAWARE 19899-1347

302 658 9200
302 658 3989 FAX

KAREN JACOBS LOUDEN
302 351 9227
302 425 4681 FAX
klouden@mnat.com

July 18, 2007

BY E-FILING


The Honorable Gregory M. Sleet
United States District Court
For the District of Delaware
844 North King Street
Wilmington, DE 19801

Re: *Biovail v. Andrx Pharmaceuticals LLC et al.*,
C. A. No. 05-586, 05-730 and 06-620 (GMS) (Consolidated)

Dear Chief Judge Sleet:

We write in response to Andrx's letter of yesterday. Andrx seeks to have the Court decide its pending motion to strike "because the deposition of the Biovail expert at issue is scheduled for next month, along with the deposition of the Andrx expert who would address" these issues. What Andrx fails to advise the Court, however, is that the depositions of these experts will go forward regardless of how the Court rules on the pending motion, because they have been designated on other issues. Moreover, the testimony of these experts will be limited to the scope of their existing expert reports.

Respectfully,


Karen Jacobs Loudon (#2881)

/cbh

cc: Peter T. Dalleo, Clerk (By Hand)
Richard L. Horwitz, Esq. (By E-Mail and Hand)
Jack B. Blumenfeld, Esq. (by E-Mail)
Steven A. Maddox, Esquire (By E-Mail)
Joseph M. O'Malley, Jr., Esq. (By E-Mail)

971115